

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,

v.

EDWARD CONSTANTINESCU, *et al.*

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No. 4:22-CR-00612-S

**DEFENDANT EDWARD CONSTANTINESCU’S UNOPPOSED MOTION TO ALLOW
TRAVEL AND TO MODIFY PRETRIAL BOND CONDITIONS**

Defendant Edward Constantinescu (“Defendant” or “Constantinescu”), by and through his undersigned counsel, respectfully moves the Court to modify the Defendant’s conditions of bond going forward to allow for travel to and within the Western District of Texas for the purpose of meeting with his attorneys so long as pretrial services receives notification prior to travel. The Government does not oppose the requested relief in this motion.

I. PROCEDURAL HISTORY

Constantinescu was charged by sealed indictment in this district on December 7, 2022. (Dkt. 1). He was arrested and brought before the court on December 16, 2022. (*See generally* Docket). During the arraignment, the Government did not move for detention, and Magistrate Judge Bryan set pretrial bond conditions. *Id.* Constantinescu was released on a \$2,000,000 secured bond.

As part of his conditions of bond, Constantinescu’s travel is restricted to the Southern District of Texas. (Dkt. 64). On February 8, 2023, the Government filed a Superseding Indictment, (Dkt. 134), and Constantinescu was arraigned on February 14, 2023, before Magistrate Judge

Palermo. Constantinescu's conditions of bond have not changed since his arraignment on December 16, 2022. (Dkt. 64).

II. REQUESTED RELIEF

Constantinescu's current bond restricts his travel to within the Southern District of Texas only. (Dkt. 64). Constantinescu requests that this condition of bond be modified to also allow for travel within the Western District of Texas for the purpose of meeting with his attorneys (with notification of pretrial services prior to travel). Constantinescu needs to travel into the Western District to confer with his counsel and legal team—Ford O'Brien Landy LLP—who reside in Austin, Texas. Without objection from the Government, this request is made in the interest of judicial economy as opposed to burdening the Court with motions to travel to the nearby Western District with frequency.

III. LEGAL ARGUMENT

The Bail Reform Act (the "Act"), 18 U.S.C. § 3141, et seq., ("The Act") provides that a person shall be released on his recognizance unless no condition or combination of conditions will reasonably assure the appearance of the person and the safety of the community. 18 U.S.C. § 3142(b). If the court determines that a personal recognizance bond is not sufficient, then the court shall order the defendant released subject to the conditions that the defendant not commit a federal, state, or local crime while on release and "subject to the least restrictive further condition, or combination of conditions, that such judicial officer determines will reasonably assure the appearance of the person as required and the safety of any other person and the community[.]" 18 U.S.C. § 3142(c)(1)(B). The conditions of release can be amended at any time. 18 U.S.C. § 3142(c)(3).

The Government does not oppose the requested relief herein, and Constantinescu's requested relief does not alter the reasonable assurance that he will appear when commanded.

IV. CONCLUSION

For these reasons, Defendant Constantinescu respectfully requests that this Court grant this Motion to Allow for Travel outside the Southern District and to Modify Pretrial Bond Conditions to Allow for Travel within the Western District of Texas.

Dated: March 8, 2023

Respectfully submitted,

/s/ Matthew A. Ford

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Attorneys for Defendant

Edward Constantinescu

CERTIFICATE OF CONFERENCE

On March 8, 2023, the undersigned communicated with United States Attorney's Office for the Southern District of Texas who indicated that the government did not oppose the requested relief.

/s/ Matthew A. Ford

Matthew A. Ford

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2023, a true and correct copy of the foregoing document has been electronically served on all counsel of record via the Court's CM/ECF system.

/s/ Matthew A. Ford

Matthew A. Ford